#### JOURNAL'S BUSINESS DIRECTORY.

COAL-Coburn Coal Co., East 22d street. Anth-racite, coke, hard and soft coal. Phone 2445.

BRILL & CO., fancy dyers and cleaners silk curtains, any color, cleaned and finished equal to new; also ladies' light cloth jackets a specialty. 238 Massachusetts avenue and 155 North Illinois street.

FLORISTS-BERTERMANN FLORAL COMPANY, New No. 241 Mass ave., 226 N. Del. st. Tel. 840

UNION CO-OPERATIVE LAUNDRY, Work called for. 138-144 Virg. ave. 'Phone 1269

MANTELS AND GRATES-P. M. PURSELL (Mantels, Furnaces), 231 Muss. ave.

BALE AND LIVERY STABLES-HORACE WOOD (Carriages, Traps, Buck-boards, etc.) 25 Circle. Tel. 1097.

SHOW CASES-WILLIAM WIEGEL,

UNDERTAKERS-FRANK BLANCHARD. 99 N. Delaware st. Tel. 411. Lady Attendant.

H. C. STEVENS, New Style Wall Paper, Low prices. 930 N. Senate ave. Tel. 2 on 2552

FUNERAL DIRECTORS

FLANNER & BUCHANAN-320 North Illinois street. Lady embaimer, for ladies and children. Office always open. Telephone 641. Hacks at lowest prevailing price.

C. E. KREGELO. FUNERAL DIRECTOR, 223 N. Delaware St.

DIED.

HABENEY-Emma S. Habeney, wife of Henry F. Habeney, Jan. 30, 7:35 a. m., aged forty-one rears, two months, ten days. Funeral Thursday, Feb. 1, from residence, 224 South East street, 1:30, and from German Zion Church, 2 o'clock. Burial at Crown Hill. Friends invited. HENDRICKS-Mrs. Anna. Blythe Hendricks, widow of the late Rev. Abram G. Hendricks, Jan. 30, at 6 p. m., at the residence of Mr. and Mrs. Victor K. Hendricks, 1129 North Meridian street. Notice of funeral later.

#### FINANCIAL.

LOANS-Money on mortgages. C. F. SAYLES, 135 East Market street. LOANS-On city property; 5's per cent.; no com-mission; money ready. C. N. WILLIAMS & CO., 319 Lemcke building.

MONEY-To loan on Indiana farms; lowest market rate; privilege for payment before due; we also buy municipal bonds. THOS. C. DAY & CO., Rooms 806-812 Law building, Indianapolis. FINANCIAL-We will make loans of \$1,000 and above on centrally located Indianapolis property at 4% to 4% per cent., interest payable annually, with privilege of making partial payments upon principal, etc. HOWARD M. AT-KINSON, Wabash, Ind.

#### FOR SALE.

Druggists; one gives relief. FOR SALE-Restaurant for sale in Indiana town of 18,000; doing good business; good reasons for selling. Address Lock Box 445, Eikhart, FOR SALE-Six choice seats, in sixth and seventh row, center aisle, first floor, for H. Irving show, Feb. 1, English's Opera. Call 405 Massa-

FOR SALE-REAL ESTATE.

FOR SALE-Real Estate-\$7,500 will buy an elegant eleven-room house in the center of Morton Place, L. T. LEWIS, 201 Law building.

#### WANTED-MALE HELP.

WANTED-Cash for acceptable ideas; state if patented. Address THE PATENT RECORD, WANTED-Men who can leave the city; no goods to sell; no experience required; about \$25 550 needed, but you retrin control of it. Send his ad., address Drawer 116, Chicago. WANTED-For U. S. army: Abie-bodied married men between ages of 21 and 35, citi-zens of United States, of good character and temperate habits, who can speak, read and write English. For information apply to recruiting officer, 25 North Illinois street, Indianapolis, Ind.

#### STORAGE.

STORAGE-INDP'LS WAREHOUSE CO. W. E. Kurtz, Pres. H. A. Crossland, Mgr. (New) 517-523 S. Penn. 'Phone 1343. We STORE, PACK AND HAUL. pany, corner East Ohio street and Bee-line tracks; only first-class storage solicited, CRAT-ING AND PACKING OF HOUSEHOLD GOODS

#### NOTICE.

NOTICE-Hardwood floors; clean, polish and re-finish, by experienced men. 215 South Illinois tireet, Room 15.

## LEGAL ADVERTISEMENTS.

State of Indiana, Marion county, ss. In the uperior Court of Marion county, in the State of Aetna Saving and Loan Association vs. Horace

M. Kearns et al.

No. 59939. Complaint to foreclose mortgage.

Be it known that on the 29th day of January.

1900, the above named plaintiff, by its atterneys,
filed in the office of the clerk of the superior

Court of Marion county, in the State of Indiana,
lis complaint against the above-named defendants, and the said plaintiff having also filed in
said clerk's office the affidavit of a competent person showing that said defendants Horace M. Kearns and Margaret Kearns are not residents of the State of Indiana; that said action is to se a mortgage on real estate and the said defendants are necessary parties thereto, and, whereas, said plaintiff, having by indorsement on said complaint required said defendant to appear in said court and answer or demur there-

to on the 26th day of March, 1900; Now, therefore, by order of said court, said defendants last above named are hereby notified of the fling and pendency of said complaint against them, and that unless they appear and answer or demur thereto at the calling of said cause, on the 26th day of March, 1900, the same being the nineteenth judicial day of a term of said court, to be begun and held at the courthouse, in the city of Indianapolis, on the first Monday in March, 1900, said complaint and the matters and things therein con ained and alleged will be heard and determined in their absence.

GEO. B. ELLIOTT, Clerk.

Hawkins & Smith, Attorneys for Plaintiff.

#### MAGGIE WILLIAMS'S STORY.

## Tells the Police Why She Shot Her

Sweetheart. Abram Furches, colored, who was shot Monday night by his sweetheart, Maggie Williams, was reported last night by City

Hospital physicians as out of danger. Maggie Williams was arrested yesterday morning by Patrolman Gregory in the southeastern part of the city, where she had gone to see friends. She said the weapon with which she shot Furches was one which he had brought to her home several months ago for safekeeping during a time of trouble in the place where he was stopping. She said they were to have been married March 1 and he had often threatened to kill her if she received the attentions of other men, and she had therefore stayed at home and devoted herself to Furches. He had, she claimed, taken up with Rebecca Blackwell about a month ago and had promised he would have nothing more to do with her. He was to call on her Monday night and when he did not come she went to the home of the Blackwoman and, learning that Furches was there, went home and got the revolver, which she said Furches had told her several times, would not shoot. She said Furches, when he saw the revolver, said to her "Don't shoot, baby, don't but she did. She was somewhat anxious about him and frequently inquired as to his condition. The bicycle police found the revolver in a vacant lot, where she had thrown it after shooting Furches.

College Politicians. A large attendance of college politicians is expected at the meeting of the Indiana State Oratorical Association, at the Denison Hotel, on Friday. The Phi Delta Thetas will make another attempt to carry off all the offices of the organization, but it is said they are to meet strong opposition this year. The Phis are coming in force from the seven colleges in which they have chapters. They will meet in a province convention at 3 o'clock Friday afternoon and will dine together at 6 o'clock,

R. E. Springsteen & Co., popular-priced tailors, 9 North Pennsylvania street.

#### WESTERNERS IN DEMAND

ON EASTERN RAILWAYS THEY ARE MAKING EXCELLENT RECORDS.

General Passenger Agent on Ticket Scalpers-Vanderbilt Freight Line Consolidation.

The selection of George W. Stevens for

president of the Chesapeake & Ohio road was not much of a surprise to those who knew his ability as a railroad man. While on that road he has had President Ingalls to back him in every effort to develop the property, but it is through his efforts largely that it was brought to its present high standard. Among the first things that Mr. Stevens did on taking the management of the property was to select very competent men off of Western lines as division superintendents, engineers of maintenance of way, and in fact as heads to every department, and so perfectly did they harmonize that the last two or three years it has been pleasant work to manage the road. Mr. Stevens has purchased on the banks of the James river a handsome family residence, has had a spur track laid to it, telegraph wires extended to it, and when he prefers to be at home his private car is run onto the spur track and he is as much in communication with every department as though he were at his office. The success that Western men are making on Eastern roads is very striking, as in the case of Mr. Stevens on the C. & O., Truesdale on the Lackawanna, Thomas on the Erie, Hays on the Grand Trunk, and numerous others that have gone from Western roads to trunk and Eastern lines. Their presence is felt in the fresh methods and profitable reforms. Even the division superintendent saves money for his company and introduces new slowly but surely elbowing his Eastern brother away from the throttle." In this connection a prominent locomotive engineer on one of the Trunk lines, in an interview published in an Eastern paper, said: "People don't know that the Westerners are giving us trouble to keep our jobs, but that is the true state of affairs. They are getting a foothold in every deto build the big roads out there are comods which prevail on the important Western lines. Locomotive engineers running

#### Ticket Scalping.

out of New York, Philadelphia, Baltimore,

A general passenger agent of one of the leading roads at Cincinnati writes the Journal as follows: "The scalpers are of no earthly benefit to the public, but on the contrary all of the restrictions as to time limits, signatures, joint agencies, etc., are forced upon the railroads in order to thwrat the plans of the scalpers, but with all the precautions thrown around ticket business, we find them occasionally coming in with altered dates, plugged punchmarks, destinations changed and signatures counterfeited. The abuse was so great last summer that our railroads have under serious consideration the discontinuance of cheap Sunday excursions for the season of 1900, unless some relief can be afforded. All lines throughout the United States will discontinue the payment of commissions to ticket agents Feb. 1, and there will be no opportunity after that date for an honest man to make any revenue in scalping tickets. Nearly every scalper in Cincinnati who was conducting an honest business has gone out of it, and of-fices which flourished a few months ago within a block of the depot are now empty

and for rent.' Personal, Local and General Notes. On Jan. 1 the membership of the Brotherhood of Locomotive rhemen numbered

Traveling Passenger Agent Fowler, of the Illinois Central, is in the city, posting ticket agents as to their new Omaha route. The Monon lines earned in the third week of January \$75,367, an increase over the corresponding week of 1899 of \$18,025. Since July 1 an increase of \$411,231 is shown.

Work on the great new four track system of the River division of the Pittsburg Ft. Wayne & Chicago is rapidly nearing completion, and by Feb. 15 it will be in use between Alleghany and Rochester. Joseph Billingham, master mechanic of the Wheeling division of the Baltimore & Ohio, will to-morrow as master mechanic, take charge of the second, third, fourth and fifth divisions, with headquarters at Cum-

The Lake Shore road is now handling the heaviest freight traffic in its history. Its forty new mammoth freight locomo tives are in service and hauling considerably more freight than did the sixty en-

gines in use a year ago. The prorating arrangement between the eastern and western lines, via upper Mississippi river crossings, has been extended to March 1. In the meantime the roads | ed fatally. will get together and fix things so that everybody will be satisfied.

Employes of the Great Northern are viewing with alarm the introduction of Japanese labor by that company. It is reported on what seems good authority that the company will soon be using Japanese entirely on its Northwestern section gangs. A. E. Kline, who for fifteen years has been yardmaster of the Pennsylvania lines at Toledo, wil- to-morrow take the position of general yardmaster of the Hocking Val-

ley road, his jurisdiction extending over Rockwell Station and the road's interests Contractor Ohm, who is building the new depot at South Bend for the Vandalia, expects to have it ready for occupancy by April 1. The structure will be a credit to the railroad company and to South Bend, and is much more convenient that the old

depot in its location. The New York Central has assumed control of the dining-rooms on its line and merged them into the dining-car service, assuring profits by the combined service from Clay City have been arriving here under the management of an expert. It is almost daily, and a strict quarantine generally said that dining-cars never pay, while dining-rooms are profitable. By having both in one system it is thought a profit

will be shown. Two months ago three locomotives, purchased for the Indiana, Decatur & Western -two/heavy freight engines and one large switching engine-were received, and so pressed for power was the Cincinnati, Hamilton & Dayton that they were loaned to that road for a month, but are still in use on that line, although badly needed on the Indiana, Decatur & Western.

The Baltimore & Ohio has in service some fifty locomotive borrowed from other roads, twenty of them from the Great Northern, and five were received this week from the Soo road. To-morrow the B. & O. will begin receiving one new locomotive a day from the Baldwin locomotive works, until an order for sixty-five is filled, and the company will then return

the borrowed engines.

General Passenger Agent Heafford, of the Chicago. Milwaukee & St. Paul, has issued a pamphlet illustrating the old and the new way of traveling to California. His excuse for printing and distributing the pamphlet is found in two letters sent to him by an eld patron, who took a trir to California in 1867, and this month in 1900 made the same trip. The improvements in trans-

portation are graphically described. As the time approaches for cutting off commissions the ticket agents are feeling very blue. One of their number said vesterday: "The ticket agents throughout the country must select some good road to fight their battle or do the boycotting themselves, or reciprocate in favor of the road that did stand a two-year boycott in their increased (for the present at least). It will affect agents in small towns as well as

George Graves, superintendent of the Indiana, Decatur & Western lines, said that on their lines it is a question of cars and engines to haul them. The country roads are again solid and corn is pouring into way stations. Agents at points on their line, in the last thirty-six hours, he stated had called for 623 cars to load with corn for the Indianapolis market and for Louisville, where large quantities of Indiana corn are being shipped. Yesterday all extra passenger engines were pressed into the

Referring to the report that the Vander-bilts would shortly have a new short line between Pittsburg and Chicago, President Newman, of the Lake Shore, who has just returned to Cleveland from New York, says: "No new line is contemplated. The rumor is simply an old story rehashed. I don't think anyone proposes building a new line at the present price of material. We have an arrangement with lines out of Cleveland for handling the tusiness that the proposed new line would handle." Asked if the recent purchase of the Lake Erie & Western would have any significance in that regard, Mr. Newman said "It might, as it gives us a new line through that territory. The matter has not been discussed recently, however.'

It is stated that the Cincinnati, Hamilton & Dayton main line is the most economically operated of any in the country, the Lake Shore excepted, its freedom from thing practicable. The train limit of the ordinary freight engine is fifty-five cars, Toledo to Cincinnati, but a railway trans-portation man acquainted with the road says that one of the large freight engine of the present day, he thinks, would readily haul one hundred cars between those points, but under the circumstances it is nore profitable to the company to use the smaller locomotive, as the longer trains are cumbersome to handle at passing tracks and on side tracks; besides the type of locomotive the C. H. & D. now uses is not as severe on tracks as the big freight

It is learned that the consolidation of the various Vanderbilt fast freight lines into two organizations with headquarters at Buffalo, has not proved as successful as many of the railway magnates anticipated, and good authority says if conditions do not improve a number of lines will tollow the example of the Michigan Central in withdrawing from the agreement. Many of the old lines are not receiving, under the consolidation agreement, as large a share of profits as they received under the old system, and it is further stated that the ideas of administration and, as an of- working force at present employed is not ficial of the Brotherhood of Locomotive sufficient to properly handle the work gineers, the Western railroad man is in the allotment of differentials. The magspringing rapidly into prominence and nates who brought about the consolidation tives of individual lines with attempting to continue to carry out a theory which has already and in a measure proved abor-

Last week Aguste Faure, chief clerk of President Cowen, of the Baltimore & Ohio, delivered a lecture in Baltimore on "Passes to Politicians." Among other things, he partment of the railroads in this part of said: "Why do railroads give politicians the country, and the men who went West | passes, any way? You may ask which is the most to blame I should say it is six of one ing back, or sending back their sons im- and half a dozen of the other. When you bued with the spirit of Western hustle, ask who gets the most benefit, I should and delighting in radicalism in the meth- | say the railroad gets the worst of it four times out of five. When a railroad gives a pass to some poor person for charity, it is all right. When you give a pass to a and Boston are being replaced by young minister of the gospel, the railroad may men from Western roads, and the same get its reward in the sweet bye-and-bye. When you give it to a business man i thing is extending to the other branches is an investment, but when a railroad gives to a politician it invests it in the sinking fund, and a fund without any bottom, at that. The government allows congressmen so much per mile for traveling expenses, and I have not heard of any one failing to collect it. The political pass system is an insult to the American people, and has become an instrument of degradation. If the political passes remain in use they should be legalized."

### CRY FROM FORT BRANCH

CLERK OF THAT PLACE WANTS MOUNT VERNON QUARANTINED.

Says There Are Over Two Hundred Cases of Smallpox in Posey County.

Dr. Hurty, secretary of the State Board Health, received a letter from the city clerk of Fort Branch yesterday, demanding the State Board of Health to at once quarantine the city of Mt. Vernon, Posey county, as there were over two hundred cases of smallpox in that place. When asked what action the board would take in the matter, Dr. Hurty said that at the present time the board would not interfere in any way, because the local health board at Mt. Vernon was doing everything within its power to check the disease, and the State Board of Health was only needed in the localities where the people refused to protect themselves. Sixteen new cases of the disease as chickenpox. Two new cases were also reported from Owen county, near Coal City. The health officer of Owen county writes that at least 60 per cent. of the people in that county have been vaccinated. The health officer at Waldron, Shelby county, reported yesterday that in the family of Barbara Thibo there were eight cases of typhoid fever, two of which have result-

#### SMALLPOX AT LINTON.

Several Cases Developed, Infection Coming from Clay City.

Special to the Indianapolis Journal. LINTON, Ind., Jan. 30 .- The prevalence of smallpox at Clay City has caused uneasiness among the people of this vicinity and fears have been entertained that the disease would finally appear here. The expected has taken place, for in the last five days no less than ten cases are reported. At South Linton and Island City cases are also reported. The doctors are having all they can do to vaccinate those who volunteer, but so far no actual en- \$913; assets, \$448. forcements of the law have been made. All the infected houses have been quarantined and every precaution is being taken by the health officers to confine the disease to the present victims. Persons direct against that point will be enforced from

#### State Normal Student Has Smallpox.

Special to the Indianapolis Journal. TERRE HAUTE, Ind., Jan. 30 .- Richard McCloskey, of South Fourteenth-and-onehalf street, a student of the Indiana State Normal School, has smallpox. The house is quarantined. It is said to be a mild case. McCloskey had not been in his class since last Thursday and the Normal authorities do not think there is danger of an epidemic in the school. A case of smallpox was reported from Honey Creek township but when investigated was found to

#### STRUCK A BUGGY.

Charles Mayer and a Friend in Street-Car Accident.

As Charles Mayer and a friend were crossing Washington street, between Meridian and Illinois streets, about 6 p. m. yesterday, in a buggy, a North Inspeed, struck the buggy, overturning it and frightening the horse, which started to run. Mr. Mayer was pinned between the wheels and was dragged about fifty feet, but fortunately was uninjured. The horse was stopped just as it ran on the sidewalk near Illinois street. The buggy

MRS. TETAZ DECLINES TO ACCEPT ALIMONY GRANTED BY COURT.

Amount Is Being Held for Her by the Clerk-News and Gossip of the Courts.

At the county clerk's office there is \$1,500 of alimony waiting for a woman who scorns to touch the money. Attorneys say the case has no precedent in this county, so far as they can remember. The woman who is entitled to this money is a Mrs. Tetaz, who was the defendant in a suit for divorce tried last June, in Room

2, Superior Court. Judge Leathers tried the case and granted the divorce to the husband. He gave Mrs. Tetaz alimony in the sum of \$1,500 and a short time after the divorce was granted this amount was paid into court. The day the divorce was granted Mrs. Tetaz declared she would never accept a penny of her husband's money, but the attorneys laughed at her and supposed she would change her mind about accepting the money in a day or two. Her attorney, John O. Spahr, has lately tried to induce Mrs. Tetaz to claim the money, but she is obdurate and declares she will never touch it.

The Tetaz divorce case was a most unusual one. In the midst of the trial Mrs. Tetaz, with a voice full of emotion, cried out to the court that she was not the wife of the man who was testifying against her. Judge Leathers at once stopped proceedings and instructed Attorney Spahr, who was in the room, to consult with Mrs. Tetaz about her case. She had come into court without a lawyer. She explained to Mr. Spahr that she was in doubt about being the legal wife of Tetaz. She said her former husband went away years ago never returned. She had never heard Engineers puts it, "On our road, as en- there are unnecessary congestions of of his death and was of course not sure freight, and much trouble is experienced that she was the legal wife of Tetaz. Her outbreak in the courtroom was caused by her excitement and anger aroused by the are charged by some of the representa- testimony brought out against her. It has been suggested that the funds belonging to her at the clerk's office turned over to some trust company to be invested for the benefit of her estate.

#### FOR HIS CHILDREN'S SAKE.

John C. Snider Tells the Court of His

Domestic Troubles. John C. Snider appeared in the Circuit Court yesterday afternoon with one witness and his attorney, W. W. Herod, to tell the court his side of the story in a divorce suit brought by him against his wife, Sarah M. Snider. The latter was not present, and the decree of divorce was granted to the plaintiff. He told the court a sad story about his domestic troubles. He has been married twenty-five years, and he showed his reputation to be good. He claimed his wife had caused him trouble for the last fifteen years, and several times left him for a few weeks at a time. Once he followed her and saw her slip a note under the door of a business man. She told him several times, he averred, that she would kill him, and once she rushed at him with a large knife. He said she cursed him before their children, and when he tried to go to church and lead a Christian life she would laugh at him. He also claimed she would laugh at him when he would return thanks before eating a meal. He always, he said, gave his money to his wife, and yet she complained that she did not have enough money. He said he lived with her in order to raise their children, and as they are now grown he wanted to rid himself of her.

WANTED IN ILLINOIS.

Robert Morse Arrested on a Requisition. Robert P. Morse was arrested yesterday afternoon on a warrant issued by Governor Mount on a requisition from the Governor of Illinois. 'Morse is charged with embezzlement and obtaining goods under false pretenses. Charles A. Besore. of Urbana, Ill., is the prosecuting witness, and Mr. Morse's attorneys claim that Besore is taking this means of trying to collect a bill. Besore claimed Morse secured \$2,750 worth of building material from him last December, but the affidavit charges him with obtaining \$1,500 worth of goods by false pretenses. Mr. Morse was in Urbana in August and again in to enter some other organization that is September, but was not there, he claims, in December. When he was arrested yesterday he was just leaving the federal disease were reported from Greene county | building, where he arranged for the filing yesterday, and Dr. Cole, the local health of papers in bankruptcy, and he was taken before Judge Allen, of the Circuit Court, officer, has written the State Board that he who heard the argument on the question is having a lot of trouble with the local of turning him over to the Illinois authorphysicians, who insist on diagnosing the ities. It was argued that the affidavit was for territorial rights and protection unfaulty in the dates being wrong, but after hearing brief arguments from both sides Judge Allen took the case under advisement until Thursday, allowing Morse to go on his own recognizance.

Russel Sues for Damages.

The suit of Allen A. Russel against the Altman Company was begun before Judge Baker in the Federal Court yesterday. Russel is seeking damages of the company for an alleged breach of contract. The Altman Company ordered sixty-two threshing machines of Russel, which were to be made under the patents owned by the Indiana Manufacturing Company, of this city. The company afterward refused to accept the machines, claiming their construction was

#### Petitions in Bankruptcy.

The following petitions were filed in bankruptcy yesterday: Lewis H. Tomlinson, a farmer, of Crawfordsville, Montgomery county; liabilities \$3,230.65; assets, \$84. W. W. Mitchell, of Anderson; liabilities,

#### THE COURT RECORD.

SUPREME COURT. 18615. Life Insurance Company vs. Sei lers. Wells C. C. Reversed. Baker, J .- 1 A contract executed by an insane person, who is not under guardianship at the time, is voldable only and not vold. 2. Until disaffirmed a voidable executed contract, in respect to the property or benefits conveyed, passes the right or title as fully as an unimpeachable contract. And such a contract may be ratified, whether the beneiciary was ignorant of the grantor's infirmity or obtained the benefit by means of his knowledge of the disability 19179. Life Insurance Company vs. Sel lers. Wells C. C. Dismissed. Baker, J .-Where after an appeal is taken from a judgment of the lower court, and pending the appeal in this court a correction of the | doubt, be a great many people who would record is made by certiorari such corrected record is a part of the pending appeal. 18752. Rinkenberger vs. Meyer. Lake C. C. Motion to dismiss overruled. 19195. Wabash Railroad Company vs. Miller. Adams C. C. Transferred to Ap-

pellate Court. APPELLATE COURT. 2937. Gardner vs. Caylor. Marion C. C. Affirmed. Robinson, J.-1. When the lan-guage of a contract is indefinite or ambiguous a court should adopt the construction and practical interpretation which the parties themselves have placed upon it and enforce that construction. 2 Where one of the parties to a contract accepts the assignees of the other party to the contract in lieu of the assignor it becomes a valid novation. 3. If a contract dianapolis street car, running at unusual to deliver goods is broken the measure of The total expenditure this year is expected damages is the difference between the con- to be \$600,000. tract price and the market price of the goods at the time and place the contract is broken; and if a contract to accept and pay for goods is broken by the vendee's ages is governed by the same rule. 4. It is the duty of a jarty subjected to injury

gents will have to travel continually, in THE WAY OF ONE WOMAN hanced and such damages could have been order to secure small and large parties for THE WAY OF ONE WOMAN avoided through reasonable exertion, the 2975. Moon vs. Plate-glass Company. Howard S. C. Reversed. Black, J.-1. The court determines the proper effect to be given the language used in a contract according to the ordinary meaning. 2. Annual rent contracted to be paid for the

privilege of drilling and operating a gas well on land is to be regarded as rent for the use of the land. 2819. City of Warsaw vs. Fisher. Kosciusko C. C. Petition for rehearing over-2941. Moore vs. Winsteau. Madison S. C.

SUPERIOR COURT. Room 2-James M. Leathers, Judge. Viola Gray vs. James Halstead et al.; damages. Evidence and argument concluded and continued.

Petition for renearing overruled.

Room 3-Vinson Carter, Judge. Rudolph C. Kiefer vs. Louisa Rohm: malprosecution. Discharged and costs paid. George C. Clark vs. P., C., C. & St. L Railway Company; damages. Finding and dgment against defendant for \$200 and

CIRCUIT COURT.

Henry Clay Allen. Judge. Cora Martin vs. Estella Martin et al.; partition. Commissioner files final report of partition; report approved and partition confirmed; commissioners each allowed \$50 for services; Elmer E. Stevenson allowed \$400 for services as attorney; Henry Fatout, surveyor, allowed \$7; to be taxed as costs; costs to be paid one-fourth by each: Cora, Estella, Walter and Ed-

ward Martin. Wilbur F. Browder, administrator, vs. Frank R. McCabe et al.; conversion. Trial resumed; evidence concluded; arguments The Indianapolis Sentinel Company vs. P. A. Salisbury's Estate. Allowed by administrator for 50 cents at costs of estate. C. E. Kregelo vs. William A. Worley's Estate. Allowed by administrator for \$107.25 at costs of estate. C. E. Kregelo vs. William A. Worley's Estate. Allowed by administrator for \$46.50 and costs against estate. Mary Feldt vs. William A. Worley's Estate. Allowed by administrator for \$42

at costs of estate CRIMINAL COURT. Fremont Alford, Judge.

State of Indiana vs. Harry Lindsay; receiving stolen goods. Trial by court; evidence heard; finding guilty; fine \$10 and imprisonment in county jail ten days.

NEW SUITS FILED. Wymond J. Beckett vs. Morris C. Morris; complaint. Room 2. Richard A. Black vs. Michael J. Collins et al.; complaint on note. Room 1. Jordon E. Gibson vs. Hannah M. Graham; complaint on note. Circuit Court. John W. Hart vs. William Lantz; complaint on note. Room 3.

E. C. Atkins & Co. vs. George T. Houston et al.; complaint on account. Room 2 Madge F. Brown et al. vs. Elizabeth Reynolds et al.; complaint for partition Erastus M. Eisenbeiss vs. Riverside Construction Company et al.; complaint on Room 3. Eddy Morris Campbell et al. vs. City of

## GIVES OUT A FEW POINTS

Indianapolis et al. Room 1.

JOHN T. BRUSH THROWS SOME LIGHT ON BASEBALL SITUATION.

Talks of Circuit Reduction and the Proposed American Association-Two Clubs Willing to Be Dropped.

John T. Brush, chairman of the National League circuit committee, has at last reached the point where he thought he would give the public something on the baseball question and yesterday he sent out the following signed statement regarding the baseball situation at this time: "The National League and American Association consists of twelve clubs located in the following named cities: New York, Brooklyn, Boston, Philadelphia, Baltimore, Washington, Pittsburg, Ceveland, St. Louis, Cincinnati, Chicago and Louisville. An agreement which has two years longer to run makes it impossible to change this circuit during this period without the con-sent of each one of the twelve clubs.

While this is not an ideal baseball circuit for the major league, it is the only one possible at present unless by unanimous consent another can be substituted. "The circuit committee recently held a meeting for the purpose of discussing the desirability of reduction from twelve to ten or eight clubs, and if thought advisable to ascertain upon what terms and under what conditions it could be brought about. The committee has not yet made its report to the league, and when it does, its report, if it recommends a reduction of the league, must be approved by each and every club, or reduction is impossible This much may be said, that Cleveland and Louisville are willing to retire from the major organization, or will continue if desired. These two cities are also willing operated under the national agreement. "If the National League and American Association should reduce its circuit it may resume its former title and relinquish the name of American Association, which it inherited at the amaigamation in Indianapolis in 1891. A petition has been received by President Young, asking der the national agreement for a basball league to be called the American Association of Professional Baseball Clubs, to consist of eight clubs, including Chicago and St. Louis in the West, and Boston and Philadelphia in the East, with such four other cities, two East and two West, as may in the future be determined upon, not in conflict with organizations or clubs parties to the agreement. Claim has been made for all rights to the use of the name american Association whenever it is relinquished by the National League and

American Association of Professional Baseball Clubs. The present organization is in possession of fully equipped baseball parks in twelve cities, and will certainly not relinquish their property interests except for cause, and if it should be deemed necessary or advisable for an American Association to enter the field, the petition will be granted and a schedule not in conflict with that adopted by the National League can be selected which will give continuous games in Chicago and St. Louis in the West, with opportunities to complete the circuit by organizing clubs in Louisville, Cleveland, Cincinnati or Pittsburg as may be desired; and in Boston, New York, Philadelphia and either Baltimore, Washington or Brooklyn, as might be desired. It is quite certain that if there is a baseball organization known as the American Association, it will be one which is playing a schedule not in conflict with that adopted by the National League, and the organization will be operated under the provisions of the national agreement. Both the National League and the American Association thus organized may be expected to make a determined contest against any organization which attempts to operate without that financial safety valve called the reserve rule. The entire history of baseball can be drawn upon to prove that the reserve rule is as essential to the successful operation of the game as the sun and rain are to the life of vegetation. To operate without it would be equivalent to saying in the commercial world that the debtor need not pay his debts. There would, no advocate such a condition of affairs, but it would be destructive of prosperity and property interests. The league will determine its position after the committee makes its report, and it may be relied upon now, as it has at all times during the quarter of a century just passed, to protect its interests and legislate for the best interest of the national game.'

#### Enlarging Water Plant.

The Indianapolis Water Company has prepared plans contemplating an addition to its pumping station, which will cost about \$100,000 and will treble the size of the present building. Two new Snow pumps and one centrifugal pump will be installed.

Will Play Water Polo.

It is announced that a trial game of water refusal to accept them the measure of dam- | pole will be played in the Y. M. C. A. gymnasium tank Saturday night between teams lavor. Chances are the salaries will not be increased (for the present at least). It will affect agents in small towns as well as gents in large cities. Traveling passenger

Solewalk near lilinois street. The buggy from a breach of contract to make reasonable exertion to render the injury as light as possible. If through his own negligence or willfulness his damages are ensummer.

# Always Favorable.

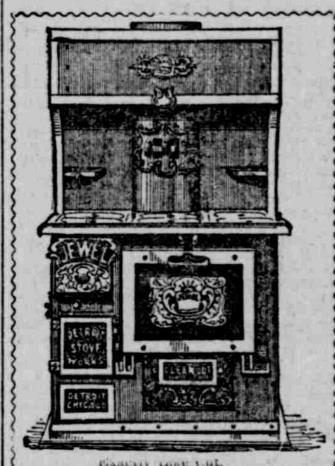
The general opinion concerning the new product Van Houten's Chocolate for eating-which has been on sale to the public for some time, -is highly favorable. The public recognize that this Chocolate ranks as highly among chocolates for eating as Van Houten's Cocoa does among cocoas; in other words, that Van Houten's Chocolate excels in delicious flavor, and in wholesomeness of composition.

Every day much harm is done by the excessive consumption of cheap confectionaries and chocolates of inferior quality, doubtful taste and doubtful composition.

Why not abstain from these altogether, and substitute the digestible, wholesome

### Van Houten's Chocolate (For Eating)?

Sold in Tins of Croquettes and Tins of Drops. Also in Square Tablets and Small Bars.



# Steel Range Sale

HIGHEST GRADE 101.10

Jewel Steel Kange \$28.00 Cash.... \$29.00 on Payments

\$6 extra for Hot-Water Reservoir

These Ranges give perfect satisfaction, and have our fullest guar-

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This Afternoon and To-Night, Jeffries-Sharkey Pictures

Under Direction of Wm, A. Brady and Thos. O'Rourke. PRICES-Night \$1, 75c, 50c, 25c; Mat., 25c, 50c.

Plenty Good Seats Left for Henry Irving, Miss Ellen Terry THE MERCHANT OF VENICE

§english's€ Friday and Saturday, Feb. 2 and 3, Mat. Sat. Dunne & Ryley present the brilliant Parisian

102 Times New York. Foy, Josie De Witt, Philip H. Ryley, the famous Florence Troupe and 35 others. SUPERB COMPANY! ORIGINAL PRODUC-TION! SPLENDID CHORUS OF 30!

2 Years in

in London.

Prices-Night \$1, 75c, 50c, 25c. Matinee, 50c 25c. Seats now ready. GRAND-To-Day-2 p. m

Grand Stock Company In the Famous Society Drama, "FROU-FROU"

Evening prices-Lower floor, 50c; balcony, 25c; callery, 15c. Matinees, 25c. Seats two weeks in advance.

NEXT WEEK—"She Stoops to Conquer."

Souvenir photographs of Carleton Macy (Kitchell's new Ellipsoid panel) to all ladies Monday

PARK-TO-DAY-2 p.m

A Milk White Flag Introducing 40 Farcical Entertainers.

10c, 20c, 30c—Everybody goes to the Park.

THURSDAY—"The Sorrows of Satan."

Empire & Theater Wabash and Delaware Sts. ONE WEEK-Commencing Monday Mat., Jan. 29

EVERY NIGHT! MATINEE DAILY! Irwin's Burlesquers

Prices of admission, 10c, 15c, 25c, 50c. Next Week-MAJESTIC BURLESQUERS ants, use that which CATARRH Lly's Cream Balm CATARRH easily and pleasantly Contains no mercury nor any other injuriou Gives Relief at once. It Opens and Cleanses the Nasal Passages.

### McMUNN'S ELIXIR OF OPIUN

Senses of Taste and Smell. Regular size, 50 cents;

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Second half year opens Thursday, Feb. The principal may be consulted from 10 to 11 o'clock daily at the school building, 824 North Pennsylvania street. ABSTRACTER OF TITLES.

THEODORE STEIN. ABSTRACTER of TITLES Corner Market and Pennsylvania streets, Indianapolis, Suite 229, First Office Floor, "The Lemcke." Telephone 1760.



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German American

Insurance Company On the 31st day of December, 1899.

It is located corner Liberty and Nassau streets, New York City. WILLIAM N. KREMER, President. C. G. SMITH, Secretary.

The amount of its capital is .........\$1,000,000 The amount of its capital paid up is 1,000,000 The Assets of the Company are as follows:

agents or other persons ...... \$209,109.53 Real estate unincumbered...... 15,000.00 Bonds owned by the company, bearing interest at the rate of -- per cent., secured as follows: United States bonds, 3 and 4 per cent., market value...... 1,293,250.00 State, county and municipal bonds, 3, 31/2, 4 and 5 per cent., market value ...... 1,493,284.00

Railroad stocks and bonds, 4, 41/2, 5, 6, 7, 8 and 12 per cent., market value ...... Other stocks and bonds, 4, 5, 7, 8 and 33 per cent., market 694,711.00 Loans on bonds and mortgages of

real estate, worth double the amount for which the same is mortgaged, and free from any prior incumbrance ...... Debts for premiums..... All other securities, accrued in-

LIABILITIES. Losses adjusted and due, losses adjusted and not due, losses un-

adjusted, losses in suspense, waiting for further proof, total unpaid losses ...... \$339,018.40 Il other claims against the company ..... Amount necessary to reinsure outstanding risks ...... 2,740,475.94

Total !iabilities ......\$3,179,262.63 The greatest amount in any one risk, State of Indiana, Office of Auditor of State, I, the undersigned, auditor of state of

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the State of Indiana, do hereby certify that

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Wocher Ætna Building.

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